

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NOVO NORDISK A/S,

Plaintiff,

V.

C.A. No. 05-645-SLR

SANOFI-AVENTIS, AVENTIS  
PHARMACEUTICALS INC., and AVENTIS  
PHARMA DEUTSCHLAND GMBH,

**Defendants.**

**AMENDED ORDER**

At Wilmington this 31<sup>st</sup> day of ~~September~~<sup>October</sup>, 2007, having reviewed plaintiff's motion to voluntarily dismiss, filed in connection with plaintiff's covenant not to sue; and consistent with the covenant not to sue (D.I. 164, ex. A) and the litigation as observed by the court;

IT IS ORDERED that plaintiff's motion to voluntarily dismiss (D.I. 152) is granted as follows:

1. Plaintiff's claims asserted against defendants in the complaint are dismissed with prejudice.
2. Defendants' counterclaims against the plaintiff are dismissed without prejudice.
3. Each party shall bear its own costs.

Joe L. Roberson  
United States District Judge